

JOHN BALAZS
Attorney At Law
916 2nd Street, 2nd Floor
Sacramento, California 95814
Telephone: (916) 447-9299
John@Balazslaw.com

Attorney for Defendant
BRYAN JAMES EPIS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-S 97-381-GEB-GGH
Plaintiff,)	APPLICATION AND ORDER TO
v.)	EXONERATE BOND
BRYAN JAMES EPIS, et. al.,)	
Defendants.)	Hon. Gregory G. Hollows

Defendant Bryan James Epis, through counsel John Balazs, hereby applies for an order exonerating the (1) \$75,000 bond for defendant Michael James Godwin and the (2) \$500,000 bond for defendant Bryan James Epis in the above-captioned case.

1. Defendant Michael James Godwin

Defendant Michael James Godwin was released on a \$75,000 property bond in this case on August 13, 1997. Dkt entry 14. The bond was secured by property posted by Barbara Epis, the mother of defendant Bryan James Epis. Dkt entry 30. On July 8, 2002, the district court granted the government's motion to dismiss all charges against Mr. Godwin. At the same time, the Court also granted the defense's request to exonerate the bond used to secure his release and requested that the defense file a proposed order. Dkt. Entry 221.

1 However, no proposed order was filed and undersigned counsel has been informed a lien on
2 the property remains in effect. A copy of the recorded deed of trust is attached as Exhibit A.
3 Counsel thus now requests that the Court order the \$75,000 bond for Mr. Godwin be
4 exonerated and that the Clerk's Office reconvey title to the property back to its owner.

5 2. Defendant Bryan James Epis

6 Defendant Bryan James Epis was initially released on a \$500,000 property bond on
7 July 2, 1997. Dkt. Entry 3. The bond was secured with a lien on the Cypress Sands
8 Apartments, 3124 Lake Drive, Marina, California 93933, the same property used to secure
9 co-defendant Godwin's bond. Mr. Epis's bond was posted on July 25, 1997. Dkt. entry 11.
10 Mr. Epis was subsequently found guilty by jury trial and remanded into the custody of the
11 U.S. Marshal. In the midst of his appeal, he was released on the same \$500,000 bond. On
12 February 22, 2010, after the Supreme Court denied certiorari on direct appeal, the district
13 court remanded Epis into custody.

14 On July 24, 2012, the district court adopted the settlement agreement of the parties
15 with respect to Mr. Epis's § 2255 motion and re-sentenced him to 90 months imprisonment.
16 Mr. Epis remains in federal custody since he was remanded on February 22, 2010. The
17 Bureau of Prisons lists his expected release date as July 11, 2014.

18 For all these reasons, Mr. Epis applies for an order exonerating the bonds in this case
19 against defendant Michael James Godwin and Bryan James Epis.

20
21 Respectfully submitted,

22 Dated: September 14, 2012

23 /s/ John Balazs
24 John Balazs

25 Attorney for Defendant
26 BRYAN JAMES EPIS
27
28

ORDER

IT IS SO ORDERED that the property bonds with respect to defendants Michael James Godwin and Bryan James Epis in Case No. CR-S 97-381 be exonerated and that title to the property securing the bonds be reconveyed back to the property's owner.

Dated: September 18, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE